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**U.S. District Court  
District of Hawaii (Hawaii)  
CIVIL DOCKET FOR CASE #: 1:09-cv-00026-HG -BMK**

Lost Fish Coalition et al v. Western Pacific Regional Fishery  
Management Counsel et al  
Assigned to: JUDGE HELEN GILLMOR  
Referred to: Judge BARRY M. KURREN  
Cause: 05:552 Freedom of Information Act

Date Filed: 01/15/2009  
Date Terminated: 01/04/2010  
Jury Demand: None  
Nature of Suit: 895 Freedom of  
Information Act  
Jurisdiction: Federal Question

**Plaintiff**

**Lost Fish Coalition**

represented by **David Bahr**  
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**Plaintiff**

**Conservation Counsel for Hawai'i**

represented by **David Bahr**  
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*ATTORNEY TO BE NOTICED*

**David A. Paulson**  
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**James J. Bickerton**  
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*ATTORNEY TO BE NOTICED*

**Peter Van Tuyn**  
(See above for address)  
*LEAD ATTORNEY*  
*PRO HAC VICE*  
*ATTORNEY TO BE NOTICED*

**Plaintiff**

**Kahea, The Hawaiian-Environmental  
Alliance**

represented by **David Bahr**  
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*LEAD ATTORNEY*  
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*ATTORNEY TO BE NOTICED*

**David A. Paulson**

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**Peter Van Tuyn**  
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V.

**Defendant**

**Western Pacific Regional Fishery  
Management Counsel**

represented by **Harry Yee**  
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*LEAD ATTORNEY*

**Defendant**

**National Oceanic and Atmospheric  
Administration Fisheries Pacific  
Regional Office**

represented by **Harry Yee**  
(See above for address)  
*LEAD ATTORNEY*

**Defendant**

**United States Department of Commerce**

represented by **Harry Yee**  
(See above for address)  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

Date Filed	#	Docket Text
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01/15/2009	<a href="#"><u>1</u></a>	COMPLAINT;# <a href="#"><u>1</u></a> SUMMONS ISSUED against Western Pacific Regional Fishery Management Counsel, National Oceanic and Atmospheric Administration Fisheries Pacific Islands Regional Office, United States Department of Commerce (Filing fee \$ 350.), filed by Lost Fish Coalition, Conservation Counsel for Hawai'i, Kahea, The Hawaiian-Environmental Alliance. (Attachment: # <a href="#"><u>2</u></a> Civil Cover Sheet)(bbb, ) (Entered: 01/22/2009)
01/15/2009	<a href="#"><u>2</u></a>	Order Setting Rule 16 Scheduling Conference for 09:00AM on 4/13/2009 before Magistrate Judge BARRY M. KURREN. Signed by Chief JUDGE HELEN GILLMOR on January 15, 2009. (Attachments: # <a href="#"><u>1</u></a> Memo to All Counsel re: Corporate Disclosure Statements)(bbb, ) (Entered: 01/22/2009)
01/15/2009	<a href="#"><u>3</u></a>	Civil Filing fee: \$ 350.00, receipt number 246261 (bbb, ) (Entered: 01/22/2009)
01/27/2009	<a href="#"><u>4</u></a>	MOTION for Pro Hac Vice <i>Application of Peter H. Van Tuyn to Appear Pro Hac Vice</i> David A. Paulson appearing for Plaintiff Lost Fish Coalition (Paulson, David) (Entered: 01/27/2009)
01/27/2009	<a href="#"><u>5</u></a>	MOTION for Pro Hac Vice <i>Application of Davidh Bahr to Appear Pro Hac Vice</i> David A. Paulson appearing for Plaintiff Lost Fish Coalition (Paulson, David) (Entered: 01/27/2009)
01/27/2009	<a href="#"><u>6</u></a>	Pro Hac Vice Filing fee for attorney Peter Van Tuyn: \$ 225.00, receipt number 246362 (bbb, ) (Entered: 01/28/2009)
01/27/2009	<a href="#"><u>7</u></a>	Pro Hac Vice Filing fee for attorney David Bahr: \$ 225.00, receipt number 246361 (bbb, ) (Entered: 01/28/2009)
01/27/2009	<a href="#"><u>8</u></a>	SUMMONS RETURNED EXECUTED by Lost Fish Coalition, Conservation Counsel for Hawai'i, Kahea, The Hawaiian-Environmental Alliance. National Oceanic and Atmospheric Administration Fisheries Pacific Regional Office served thru Patricia Giebler on 1/26/2009, answer due 2/17/2009. (bbb, ) (Entered: 01/28/2009)
01/28/2009	<a href="#"><u>9</u></a>	SUMMONS RETURNED EXECUTED by Lost Fish Coalition, Conservation Counsel for Hawai'i, Kahea, The Hawaiian-Environmental Alliance. Western Pacific Regional Fishery Management Counsel served on 1/27/2009, answer due 2/17/2009. (bbb, ) (Entered: 01/29/2009)
01/30/2009	<a href="#"><u>10</u></a>	Declaration re <a href="#"><u>4</u></a> MOTION for Pro Hac Vice <i>Application of Peter H. Van Tuyn to Appear Pro Hac Vice Declaration of Peter Van Tuyn in Support of Peter Van Tuyn to Appear Pro Hac Vice, Filed January 27, 2009.</i> (Paulson, David) (Entered: 01/30/2009)
01/30/2009	<a href="#"><u>11</u></a>	Declaration re <a href="#"><u>4</u></a> MOTION for Pro Hac Vice <i>Application of Peter H. Van Tuyn to Appear Pro Hac Vice Declaration of David A. Paulson in Support of Application of</i>

		<i>Peter Van Tuyn to Appear Pro Hac Vice, Filed Janaury 27, 2009. (Paulson, David)</i> (Entered: 01/30/2009)
01/30/2009	<a href="#"><u>12</u></a>	Declaration re <a href="#"><u>5</u></a> MOTION for Pro Hac Vice <i>Application of Davidh Bahr to Appear Pro Hac Vice Declaration of David Bahr in Support of Application of David Bahr to Appear Pro Hac Vice, Filed January 27, 2009.</i> (Paulson, David) (Entered: 01/30/2009)
01/30/2009	<a href="#"><u>13</u></a>	Declaration re <a href="#"><u>5</u></a> MOTION for Pro Hac Vice <i>Application of Davidh Bahr to Appear Pro Hac Vice Declaration of David A. Paulson in Support of Application of David Bahr to Appear Pro Hac Vice, Filed January 27, 2009.</i> (Paulson, David) (Entered: 01/30/2009)
02/02/2009	<a href="#"><u>14</u></a>	ORDER GRANTING <a href="#"><u>5</u></a> APPLICATION OF DAVID BAHR TO APPEAR PRO HAC VICE. Signed by Magistrate Judge BARRY M. KURREN on February 2, 2009. (bbb, ) (Entered: 02/02/2009)
02/02/2009	<a href="#"><u>15</u></a>	ORDER GRANTING <a href="#"><u>4</u></a> APPLICATION OF PETER VAN TUYN TO APPEAR PRO HAC VICE. Signed by Magistrate Judge BARRY M. KURREN on February 2, 2009. (bbb, ) (Entered: 02/02/2009)
03/17/2009	<a href="#"><u>16</u></a>	ANSWER to <a href="#"><u>1</u></a> Complaint, <i>Answer to Plaintiffs' Complaint for Declaratory and Injunctive Relief and Certificate of Service</i> by Western Pacific Regional Fishery Management Counsel, National Oceanic and Atmospheric Administration Fisheries Pacific Regional Office, United States Department of Commerce.(Yee, Harry) (Entered: 03/17/2009)
04/06/2009	<a href="#"><u>18</u></a>	EO: Rule 16 Scheduling Conference continued from 4/13/2009 to 6/12/2009 @ 9:00 AM before Judge BARRY M. KURREN pursuant to Stipulation For Continuance of Rule 16 Scheduling Conference. Rule 16 Scheduling Conference Statements due 6/5/2009. (Judge BARRY M. KURREN)(tyk)  <hr/> <div style="text-align: center;">CERTIFICATE OF SERVICE</div> Participants registered to receive electronic notifications received this document electronically at the e-mail address listed on the Notice of Electronic Filing (NEF). Participants not registered to receive electronic notifications were served by first class mail on the date of this docket entry  (Entered: 04/06/2009)
04/07/2009	<a href="#"><u>19</u></a>	STIPULATION FOR CONTINUANCE OF RULE 16 SCHEDULING CONFERENCE; ORDER. Signed by Magistrate Judge BARRY M. KURREN. (bbb, ) (Entered: 04/08/2009)
06/01/2009	<a href="#"><u>20</u></a>	STATUS REPORT <i>Rule 26 Planning Meeting</i> by Lost Fish Coalition, Conservation Counsel for Hawai'i, Kahea, The Hawaiian-Environmental Alliance. (Tuyn, Peter)

		(Entered: 06/01/2009)
06/05/2009	<a href="#">21</a>	Scheduling Conference Statement <i>Defendamt.</i> (Yee, Harry) (Entered: 06/05/2009)
06/05/2009	<a href="#">22</a>	Scheduling Conference Statement. (Paulson, David) (Entered: 06/05/2009)
06/12/2009	<a href="#">23</a>	<p>EP: Rule 16 Scheduling Conference continued to August 5, 2009 at 9:30 before Judge Barry M. Kurren. Settlement Conference set for August 5, 2009 at 9:30 before Judge Barry M. Kurren. Parties to confer and submit letter briefs Re Settlement by August 3, 2009.(C6, No Record 9:06AM-9:13AM.) (Judge BARRY M. KURREN) (kur1)</p> <hr/> <p style="text-align: center;">CERTIFICATE OF SERVICE</p> <p>Participants registered to receive electronic notifications received this document electronically at the e-mail address listed on the Notice of Electronic Filing (NEF). Participants not registered to receive electronic notifications were served by first class mail on the date of this docket entry</p> <p>(Additional attachment(s) added on 6/15/2009: # <a href="#">1</a> Main Document) (bbb, ). (Entered: 06/12/2009)</p>
08/05/2009	<a href="#">24</a>	<p>EP: Settlement Conference held; no settlement at this time. Rule 16 Scheduling Conference not held. Status Conference set for September 10, 2009 at 9:30AM before Judge Barry M. Kurren. (In Chambers, No Record 9:45AM-9:59AM.) (Judge BARRY M. KURREN)(kur1)</p> <hr/> <p style="text-align: center;">CERTIFICATE OF SERVICE</p> <p>Participants registered to receive electronic notifications received this document electronically at the e-mail address listed on the Notice of Electronic Filing (NEF). Participants not registered to receive electronic notifications were served by first class mail on the date of this docket entry</p> <p>(Entered: 08/05/2009)</p>
09/10/2009	<a href="#">25</a>	<p>EP: Status Conference Re Dates and Deadlines held. Further Status Conference is set for September 25, 2009 at 9:30 a.m. before Judge Barry M. Kurren. Counsel who wish to participate by phone are to call Judge Kurrens chambers (808-541-1306) with the number at which they can be reached for the conference. (C6 no record 9:30-9:33 AM.) (Judge BARRY M. KURREN)(kur1)</p> <hr/> <p style="text-align: center;">CERTIFICATE OF SERVICE</p> <p>Participants registered to receive electronic notifications received this document electronically at the e-mail address listed on the Notice of Electronic Filing (NEF). Participants not registered to receive electronic notifications were served by first class mail on the date of this docket entry</p>

		(Entered: 09/10/2009)
09/25/2009	<a href="#">26</a>	<p>EP: Further Status Conference held. Further Status Conference set for October 16, 2009 at 9:00 a.m. before Judge BARRY M. KURREN. Counsel who wish to participate by phone are to call Judge Kurren's chambers (808-541-1306) with the number at which they can be reached. (C6 no record 9:00-9:33 AM.) (Judge BARRY M. KURREN)(kur1)</p> <hr/> <p style="text-align: center;">CERTIFICATE OF SERVICE</p> <p>Participants registered to receive electronic notifications received this document electronically at the e-mail address listed on the Notice of Electronic Filing (NEF). Participants not registered to receive electronic notifications were served by first class mail on the date of this docket entry</p> <p>(Entered: 09/25/2009)</p>
10/08/2009	27	<p>EO: Further Status Conference set for 10/16/09 is CONTINUED to 10/28/2009 at 9:00 AM before Judge BARRY M. KURREN. Counsel who wish to participate by phone are to call Judge Kurren's chambers (808-541-1306) with the number at which they can be reached. (Judge BARRY M. KURREN)(kur1)</p> <hr/> <p style="text-align: center;">CERTIFICATE OF SERVICE</p> <p>Participants registered to receive electronic notifications received this document electronically at the e-mail address listed on the Notice of Electronic Filing (NEF). Participants not registered to receive electronic notifications were served by first class mail on the date of this docket entry</p> <p>(Entered: 10/08/2009)</p>
10/28/2009	<a href="#">28</a>	<p>EP: Further Status Conference held. Further Status Conference is set for November 30, 2009 at 9:30 a.m. (not 10:00 a.m. as stated during today's conference) before Judge BARRY M. KURREN. Counsel who wish to participate by phone are to call Judge Kurren's chambers (808-541-1306) with the number at which they can be reached. (C6 no record 9:00-9:07 AM.) (Judge BARRY M. KURREN)(kur1)</p> <hr/> <p style="text-align: center;">CERTIFICATE OF SERVICE</p> <p>Participants registered to receive electronic notifications received this document electronically at the e-mail address listed on the Notice of Electronic Filing (NEF). Participants not registered to receive electronic notifications were served by first class mail on the date of this docket entry</p> <p>(Entered: 10/28/2009)</p>

11/03/2009	29	EO: Further Status Conference Re: Attorney's Fees set for 11/30/2009 @ 9:30 AM is MOVED to 01:30 PM before Judge BARRY M. KURREN. (Judge BARRY M. KURREN)(tyk)
		<p style="text-align: center;">CERTIFICATE OF SERVICE</p> <p>Participants registered to receive electronic notifications received this document electronically at the e-mail address listed on the Notice of Electronic Filing (NEF). Participants not registered to receive electronic notifications were served by first class mail on the date of this docket entry. (Entered: 11/03/2009)</p>
11/19/2009	<a href="#">30</a>	STIPULATION <i>Stipulation for Compromise Settlement and Release of Freedom of Information Act ("FOIA") Claims Pursuant to 5 U.S.C. Section 552</i> by National Oceanic and Atmospheric Administration Fisheries Pacific Regional Office, United States Department of Commerce, Western Pacific Regional Fishery Management Counsel. (Yee, Harry) (Entered: 11/19/2009)
11/20/2009	31	EO: The Further Status Conference Re Attorney's Fees set for 11/30/2009 is VACATED. (Judge BARRY M. KURREN)(kur2)
		<p style="text-align: center;">CERTIFICATE OF SERVICE</p> <p>Participants registered to receive electronic notifications received this document electronically at the e-mail address listed on the Notice of Electronic Filing (NEF). Participants not registered to receive electronic notifications were served by first class mail on the date of this docket entry (Entered: 11/20/2009)</p>
01/04/2010	<a href="#">32</a>	Government's STIPULATION FOR DISMISSAL WITH PREJUDICE OF ALL CLAIMS AND ALLPARTIES AND ORDER: "...pursuant to Rule 41(a)(1)(ii) of the Federal Rules of Civil procedure." Signed by Senior JUDGE HELEN GILLMOR on January 4, 2010. (bbb, )
		<p style="text-align: center;">CERTIFICATE OF SERVICE</p> <p>Participants registered to receive electronic notifications received this document electronically at the e-mail address listed on the Notice of Electronic Filing (NEF). Participants not registered to receive electronic notifications were served by first class mail on 01/05/2010 (Entered: 01/04/2010)</p>

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